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Dated: 3/10/04 Signature: Katherine L. Neville  
Katherine L. Neville, Ph.D.

Docket No.: 27866/34162A  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kilgannon et al.

Application No.: 10/025,524

Group Art Unit: 1645

Filed: December 18, 2001

Examiner: Patricia Duffy

For: ICAM-4 Materials and Methods

### **TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, undersigned, am an agent of record for the assignee of the above-identified application. I certify that ICOS Corp., a Delaware corporation, located at 22021 20th Avenue S.E., Bothell, WA 98021, is the assignee of the entire right, title, and interest in the above identified patent application, as evidenced by the application assignment, said assignment having been recorded in the U.S. Patent and Trademark Office on January 5, 1998 at Reel No. 8919, Frame No. 0194.

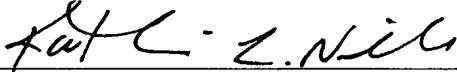
The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 5,773,293. The owner hereby agrees that any patent that is granted on the above-identified application shall be enforceable only for and during such period that it and the above listed patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assignees.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminate prior to the expiration of its full statutory term. Enclosed herewith is a check in the amount of \$110.00 pursuant to 37 CFR 1.20 (d).

Respectfully submitted,

March 10, 2004

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